



General Assembly

Substitute Bill No. 489

February Session, 2008

* SB00489LAB__031308__ *

AN ACT CONCERNING THE RIGHT TO ORGANIZE FOR ALL EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) Employees of all
2 employers employing three or more employees performing work
3 within the state of Connecticut who are not accorded the right to form,
4 join or assist labor organizations, to bargain collectively through
5 representatives of their own choosing and to engage in other concerted
6 activities for the purpose of collective bargaining or other mutual aid
7 or protection under any federal or state law, shall be provided all such
8 rights and protection provided by the provisions of chapter 561 of the
9 general statutes, and shall also have the right to refrain from any and
10 all such activities except to the extent such right may be affected by an
11 agreement requiring membership in a labor organization as a
12 condition of employment.

13 (b) Subsection (a) of this section, shall not apply to state employees
14 who are commissioners, deputy commissioners, confidential
15 employees or bureau heads and to state elected officials. For purposes
16 of this section, "bureau head" means an individual who heads a major
17 division of a state agency and reports to the head or deputy head of
18 such agency, provided: (1) The number of bureau heads of any state
19 agency shall not exceed the greater of (A) one, or (B) one-half of one

20 per cent of the total number of permanent full-time employees of the
 21 employer, rounded to the next lowest whole number; (2) the number
 22 of bureau heads in the state executive branch shall not exceed one-half
 23 of one per cent of the total number of permanent full-time employees
 24 in the branch, rounded to the next lowest whole number, and the
 25 number of bureau heads in the state judicial branch shall not exceed
 26 one-half of one per cent of the total number of permanent full-time
 27 employees in the branch, rounded to the next lowest whole number;
 28 and (3) if a state agency has more major divisions than the number of
 29 bureau heads permitted to an employer by this subsection, the major
 30 divisions shall be ranked by the number of permanent full-time
 31 employees in each, and any individual heading a major division with a
 32 smaller number of permanent full-time employees shall be excluded
 33 from being classified as a bureau head before any individual heading a
 34 major division with a larger number of full-time employees.

35 (c) The provisions of this section shall not apply to employees
 36 whose collective bargaining rights are provided in (1) the federal Labor
 37 Relations Act, (2) sections 7-467 to 7-478f, inclusive, of the general
 38 statutes or the 2008 supplement to the general statutes, and (3) sections
 39 10-153a to 10-153r, inclusive, of the general statutes or the 2008
 40 supplement to the general statutes.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2008 | New section |

LAB *Joint Favorable Subst.*